

EDMONDS CITY COUNCIL APPROVED MINUTES

May 28, 2013

The Edmonds City Council meeting was called to order at 5:45 p.m. by Mayor Earling in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor
Lora Petso, Council President
Strom Peterson, Councilmember
Frank Yamamoto, Councilmember
Joan Bloom, Councilmember
Kristiana Johnson, Councilmember*
**(arrived 5:46 p.m.)*
Adrienne Fraley-Monillas, Councilmember

ELECTED OFFICIALS ABSENT

Diane Buckshnis, Councilmember

ALSO PRESENT

Walker Kasinadhuni, Student Representative

STAFF PRESENT

Al Compaan, Police Chief
Stephen Clifton, Community Services/Economic Development Director
Phil Williams, Public Works Director
Carrie Hite, Parks & Recreation Director
Rob Chave, Acting Development Services Dir.
Jerry Shuster, Stormwater Eng. Program Mgr.
Rob English, City Engineer
Jeff Taraday, City Attorney
Linda Hynd, Deputy City Clerk
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

1. ROLL CALL

Deputy City Clerk Linda Hynd called the roll. All elected officials were present with the exception of Councilmembers Johnson and Buckshnis.

(Councilmember Johnson arrived at 5:46 p.m.)

2. INTERVIEW CANDIDATES FOR APPOINTMENT TO THE EDMONDS CITIZENS' TREE BOARD.

At 5:47 p.m., the City Council met with the following candidates for appointment to the Edmonds Citizens' Tree Board, Darcy Macpherson, Roy Smith and Douglas Swartz. The meeting took place in the Jury Meeting Room, located in the Public Safety Complex. All City Councilmembers, with the exception of Councilmember Buckshnis, were present for the interviews.

3. CONVENE IN EXECUTIVE SESSION REGARDING PENDING LITIGATION PER RCW 42.30.110(1)(i).

Mayor Earling announced at 6:45 p.m., the City Council would meet in executive session regarding pending litigation per RCW 42.3.110(1)(i). He stated that the executive session was scheduled to last approximately 15 minutes and would be held in the Jury Meeting Room, located in the Public Safety Complex. He advised the Council may take action as a result of meeting in executive session. Elected officials present at the executive session were: Mayor Earling, and Councilmembers Yamamoto, Johnson, Fraley-Monillas, Peterson, Petso and Bloom. Others present were City Attorney Jeff Taraday and Deputy City Clerk Linda Hynd. At 7:02 p.m., Mayor Earling announced to those present in the Council Chambers

that an additional 10 minutes would be required in executive session. The executive session concluded at 7:12 p.m.

Mayor Earling reconvened the regular City Council meeting at 7:15 p.m.

4. APPROVAL OF AGENDA

Council President Petso added an announcement regarding Yost Pool as Item 5.5.

COUNCIL PRESIDENT PETSO MOVED, SECONDED BY COUNCILMEMBER PETERSON, TO APPROVE THE AGENDA IN CONTENT AND ORDER AS AMENDED. MOTION CARRIED UNANIMOUSLY.

5. APPROVAL OF CONSENT AGENDA ITEMS

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCILMEMBER YAMAMOTO, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- A. APPROVAL OF CITY COUNCIL MEETING MINUTES OF MAY 21, 2013.**
- B. APPROVAL OF CLAIM CHECKS #202229 THROUGH #202340 DATED MARCH 23, 2013 FOR \$865,048.92 (REPLACEMENT CHECK #202315 \$104.74).**
- C. ACKNOWLEDGE RECEIPT OF A CLAIM FOR DAMAGES FROM THOMAS J. PAULSON (AMOUNT UNDETERMINED).**
- D. INTERLOCAL AGREEMENT - NORTH SOUND METRO SWAT.**
- E. ANNUAL RENEWAL OF SNOHOMISH REGIONAL DRUG & GANG TASK FORCE INTERLOCAL AGREEMENT (2013-2014).**
- F. ORDINANCE NO. 3923 – AMENDING THE PROVISIONS OF ECC 4.12 TO EXEMPT STREET VENDORS PARTICIPATING IN CERTAIN SPECIAL EVENTS FROM THE STREET VENDOR LICENSE FEE AND APPLICATION REQUIREMENTS AND THE PROVISIONS OF ECC 4.12.055.0.**

5.5 ANNOUNCEMENT REGARDING YOST POOL.

Parks & Recreation Director Carrie Hite explained as preparation for aquatic season began a month ago, a leak was detected in the hot water tank that serves the showers. It was difficult to diagnose and required asbestos abatement. The contractors are attempting to locate an off-the-shelf unit to replace the tank as well as be more efficient. She announced the pool will not open June 3, but she was hopeful the pool could be opened by June 10. She summarized at this time the cost and the actual opening date are unknown. The leak of the shower tank into the pool tank will also require replacing all the filters.

Ms. Hite explained \$120,000 was authorized by Council in the 2013 budget to replace the Yost Pool boiler. She suggested using those funds to replace the shower tank and not replace the boiler until this replacement is made. Park Maintenance Manager Rich Lindsay and Pool Operator Steve Redwine assure her the pool can “limp along” this year with the existing boiler. She was hopeful the tank replacement would be within the \$120,000 range and she did not have to return to Council for additional authorization. Because it is an emergency and she would like to open the pool as soon as possible, she suggested including it in the energy efficiency contractor’s contract who has presented ideas for replacing the tank with a more energy efficient tank, as well as replacing of shower heads.

Councilmember Peterson asked whether a motion was necessary. Ms. Hite answered the financial authorization is already included in the 2013 CIP for Yost Pool although it states specifically boiler and this would be for the water tank in order to open the pool. City Attorney Jeff Taraday explained there is budget authority and contracting authority. If there is sufficient appropriation in the budget, no further budget authority is needed. Whether Council authority is required to approve the contract depends on whether the contract exceeds the \$100,000 limit. Ms. Hite was hopeful the contract would be under \$100,000; if it was not, she would return to Council for approval.

There were no objections by Councilmembers to Ms. Hite's suggestion.

Mayor Earling requested a press release regarding the reason and solution. Ms. Hite suggested releasing a press release tomorrow when further information is available from the contractor.

6. AUDIENCE COMMENTS

Pamela Shaw, Educational Homestay Programs, explained their mission is breaking down barriers of language, culture and geography. This is done by bringing international students into local communities to help them improve their English, learn about American culture and share their culture with members of the community. The students arrive July 3 and stay for 3½ weeks until July 29. Approximately 350 students, ages 13-18 years, are coming to the Pacific Northwest this summer for 3-4 weeks; 40 will be in the Snohomish County area. Homes are needed for approximately 20 students for 1, 2 or 3½ weeks. EHSP organizes two full day activities for students; the rest of the time they are with their American families or individuals who are interested in learning about another culture and sharing their own. The students' lives are changed when they learn about the real America. The host does not need to have a child in their home; many empty nesters and individual professionals enjoy hosting a student. Her contact information for anyone interested in hosting a student is Pamela.Shaw@ef.com or 617-233-7467.

Finis Tupper, Edmonds, addressed Mayor Earling, stating he is still waiting for an answer to his question: "Does state law allow City planning staff approval of a variance to the lot requirements as specified in ECDC 16, subdistricts, without public notice and hearing?" He noted with Mayor Earling's experience and his sworn oath to uphold the laws of Edmonds, he was entitled to Mayor Earling's answer. Mr. Tupper assured he would continue to come to Council meetings until he received a response from Mayor Earling.

7. PRESENTATION: WILLOW CREEK DAYLIGHT EARLY FEASIBILITY STUDY/EDMONDS MARSH.

Stormwater Engineering Program Manager Jerry Shuster identified the project team, Keeley O'Connell, Senior Project Manager, EarthCorps; and consultant team: Shannon & Wilson, Inc., Anchor QEA, LLC, and Confluence Environmental. He explained most of the funding for this project was provided by the State Recreation and Conservation (RCO) through the Salmon Recovery Funding (SRF) Board. The focus of the study was primarily fish due to the funding source.

Mr. Shuster explained daylighting means taking part of a stream that is currently in an enclosed pipe and creating an open-air stream channel instead. He displayed an aerial view of Willow Creek, identifying its flow through the marsh and explaining where it was put in a pipe in the 1960s. The focus of this project is to open the connection between the channel and Puget Sound. He explained daylighting Willow Creek would:

- Improve connection between Puget Sound and Edmonds Marsh
 - More saltwater marsh, closer to its original ecosystem, better for salmon, birds, and other critters.
 - Lower water level at low tide that may help area flooding
 - Higher water level at high tide? If so, tide gate can mitigate.

Mr. Shuster reviewed the project history:

- First got major traction with the Edmonds Crossing Project – Environmental Enhancement (FEIS 2004)
- Sound Transit’s Sounder Train Project w/BNSF
 - Needed environmental mitigation for filling of wetlands further north
 - City suggested Sound Transit install bridges for future daylighting of Willow Creek.

He displayed a photograph of the new bottomless culverts/bridges/trestles installed by BNSF/Sound Transit in 2011 to facilitate daylighting of the Creek.

Keeley O’Connell, Senior Project Manager, EarthCorps, stated the primary focus of the project is to explore the feasibility of providing (and maximizing) Chinook salmon access to rearing habitat in Edmonds Marsh, primarily juvenile Chinook salmon. A secondary focus is to keep the Marsh level lower during large storm events. She pointed out this is a rare opportunity because most of these habitats on the east side of the Puget Sound basin were completely filled. She displayed a map of WRIA 8 identifying juvenile Chinook migration patterns. There are a lot of juvenile Chinook salmon off the beach in Edmonds in the eel grass and kelp beds but they are unable to get into the marsh due to the pipe system.

Ms. O’Connell displayed a United States Coastal Survey 1872 map overlaid on a current satellite image of downtown Edmonds. She described historic conditions including the 100+ acre barrier estuary of which approximately 32 acres remain. It was a common practice over the past century to fill and build upon these areas. This area has uniquely rich habitat, a rare opportunity between Everett to Tacoma.

Ms. O’Connell described the goals of the early feasibility phase:

- Document existing conditions
- Evaluate three alternative alignments (RCO requirement)
- Develop conceptual plan based on preferred alternative
- Perform hydrodynamic modeling
- Assess biological/fish response
- Provide recommendations for next phase

Ms. O’Connell described the three alternative alignments:

1. North – historically the creek channel went north
2. Directly into Marina – shortest distance
3. Extend existing open channel south – connection to healthiest beach and where bridges have been installed

She displayed a map of the alternative alignments analysis and explained the south alignment was chosen as the preferred alignment due to:

- Fish response
- Healthier, broader, more gently sloping beach
- Larger eel grass and kelp beds,
- Existing bridges which avoids negotiation with BNSF
- Entering a marina would be challenging for juvenile salmon who are dependent on sense of smell
- North or marina alignment would not achieve goal of daylighting Willow Creek as culverts or pipes would be required for the majority of the stretches due to existing infrastructure

Ms. O’Connell displayed a map of the preferred alignment across the beach to the south, advising the alignment shown on the map was not necessarily the exact alignment. One of the next steps will be to determine the best alignment for fish to enter the system as well as hydrologically for water to leave the marsh to alleviate flooding. She described biological benefits of this project:

- If juvenile fish enter the channel early in the tidal cycle, they would have access to the marsh up to 60% of the time.
- If fish enter later in the flood tidal cycle, their access will be limited starting 1 to 2 hours after high slack tide.
- However, residency in the marsh and upper creeks will be possible between tidal cycles if channels are excavated and habitat value improved above the salt marsh area.

Mr. Shuster described hydrological benefits, explaining the increased connectivity to Puget Sound from the daylighted channel does not appear to increase flood water surface elevations and may actually reduce flood water surface elevations. He displayed a graph comparing flows during the December 3, 2007 flood event for existing and proposed conditions.

Mr. Shuster explained the study concluded it is feasible to daylight Willow Creek and provide a biological benefit and probable hydrologic benefit. Recommendations include:

- Additional data to calibrate a model for design
- Evaluate the need for a tide gate
- Evaluate if modifications to existing RR bridges are needed to optimize project
- Determine optimum biological and hydraulic alignment through beach
- Work on real estate issues
- More to preliminary design & permitting

Mr. Shuster provided an early cost opinion:

- Final feasibility, engineering design and permitting: \$1.1 million
(City of Edmonds has applied to RCO for \$315,441 with \$225,051 in secured match for final feasibility and preliminary engineering design)
- Implementation – total estimated cost: \$4.35 million
 - Mobilization/Demobilization: \$250,000
 - Beach Outfall Construction: \$1,210,000
 - Daylight Channel Construction: \$1,306,600
 - Marsh Improvements: \$155,000
 - Taxes, Insurance, Contingency (30%): \$1,428,000

Ms. O'Connell described the RCO grant the City has applied for via the SRF Board, explaining the City submitted the pre-application last month. The scope of work for that proposal finalizes feasibility of this project and initial design work. She noted it was difficult to apply for enough money to complete design and permitting because the funder wants to see that the project continues to make sense as progress is being made. Although this grant funder's focus is salmon, there are many other avenues to secure additional local, state and federal funding due to other implications of this project such as alleviating flooding, improving habitat and quality of life, human connection to the system, etc. She is in the process of identifying other funding sources; one of the challenges for a project manager is to combine funding with the timing of the project.

Council President Petso asked about the source of the \$225,000 City match. Mr. Shuster answered stormwater fees.

Councilmember Bloom referred to Ms. O'Connell's comment that this marsh is the only such marsh in the area. Ms. O'Connell responded there is only one other somewhat similar opportunity from Everett to Tacoma, Tilow Park in Tacoma, but it historically has been a different kind of marsh system. They are slightly further in their design. Many of the systems in the region were completely filled in the past; one of the largest, Salmon Bay in Seattle, is where Lake Union used to drain into Puget Sound.

Councilmember Bloom asked about the potential for salmon to return. Ms. O'Connell explained salmon were not actually born in this system. These two creeks historically had Coho but not Chinook; Chinook are mainstem spawners and use only the biggest rivers such as the Skagit, Snohomish, Stilliquamish, and Cedar. When they emerge from rivers, they find these types of habitats, to rear until they are large enough to swim out to the open ocean where they remain for 3-5 years and migrate back to Puget Sound and sniff out the river where they were born. If the system is opened up, Chinook and likely Coho will return. She anticipated with restoration adult Coho would spawn in Willow Creek in the future.

For Councilmember Bloom, Ms. O'Connell explained the new bridge/culvert is a 33 foot bottomless culvert. The only covered section of Willow Creek would be under the two railroad tracks. Daylighting also provides an opportunity to create a vegetated habitat buffer on both sides of the creek to create shade needed to keep the water cool.

Councilmember Fraley-Monillas asked how the rehabilitation would benefit other wildlife. Ms. O'Connell explained in addition to salmon, restoration would improve the resident cutthroat trout population in Willow Creek. It would also greatly improve bird habitat. The existing tide gate, which must be shut manually, is closed mid-October to March, essentially turning the saltwater marsh into a freshwater marsh for those months which are critical months for migratory marine birds that would normally utilize this habitat. It would also improve the habitat for reptiles and amphibians. Although she had not seen evidence of beaver or river otter in the marsh, they would use these types of habitats.

Councilmember Johnson asked about the relationship between salmon recovery and drainage. She referred to the salt marsh mud flat area and the fresh water emergent on the map, asking which habitat the fish will thrive in and what impact dredging a new channel will have on that habitat. Ms. O'Connell answered juveniles primarily use the salt marsh areas. Their bodies have to physiologically change from birth in freshwater to migrate into saltwater in Puget Sound; once they make that change, they tend not to return to fresh water. Adult salmon such as spawning Coho would need more obvious creek channels for spawning. Excavating creek channels would allow the water to flow more freely and consistently out of the marsh. Dredging would not affect juveniles because the creeks would not be dredged into the salt marsh, only up to the edge of the salt marsh and allow them to naturally sheet flow out. She concluded dredging would not impair juvenile habitat in the salt marsh and would improve spawning habitat for adults in the fresh water marsh and improve the conveyance of water down the creeks, through the marsh and out to Puget Sound, instead of Dayton/SR104.

Councilmember Yamamoto inquired about the timeframe for next steps if the grant is obtained. Mr. Shuster explained if the SRF Board likes the City's pre-proposal, they will request a full proposal in August. If that is approved, funding is likely next January. In the meantime there are funds in the City's 2013 budget to continue moving forward with things such as a better survey of the marsh.

8. BRIEFING ON THE RECOMMENDED ALTERNATIVE – DAYTON STREET & SR104 DRAINAGE STUDY.

Stormwater Engineering Program Manager Jerry Shuster explained this project has connections with the Willow Creek daylighting project. He reviewed information from the presentation he made to the Council in January regarding the Dayton Street & SR104 Drainage Study:

- Why does the intersection flood?
 1. The inability of Shellabarger Creek to entirely flow under SR104 into Edmonds Marsh and the inability of getting the flow out of the Marsh into Puget Sound in a timely manner.
 2. The elevation of the Dayton St. stormwater line at the intersection of SR104 is lower than the water level in Puget Sound during much of the tidal cycle

Mr. Shuster displayed an aerial photograph of the area, identifying Shellabarger Creek, SR104 and Dayton Street. He reviewed the recommended alternative to reducing flooding:

- Isolate the two main drainage systems
 - Dayton St. System
 - Willow Creek/Shellabarger Creek/Edmonds Marsh system
- Improve conveyance to Puget Sound for both systems

Mr. Shuster displayed an aerial of the recommended alternative and identified several components of the recommended alternative:

- Improve culverts (clean, lower or replace)
- Plug pipe to Dayton System and add short berm
- Improve conveyance to Puget Sound (daylighting Willow Creek helps)
- Install pump station at Dayton Street to pump stormwater out at high tide
- Reroute Salish Cross drainage to Dayton system

Council President Petso asked if the Dayton Street line is the one the City pays rent to the Port. Mr. Shuster answered no, that line is where Willow Creek is now. Council President Petso asked if the City would be able to stop paying that rent with the completion of the previous project. Public Works Director Phil Williams answered that remains to be seen; there may be a use for that line in the future depending on the location of the pump station. He noted these two projects have many similar goals although they are funded separately and each has unique goals. He noted most grants either require a local match or a match makes the grant application more competitive. Because the projects solve flooding and drainage issues as well as improve the environment, the match can be stormwater utility revenue.

Council President Petso observed there are public benefits to the project as well as benefits to private property. She asked if upsizing the pump station would be funded via stormwater utility funds plus grant funds or would the Salish Crossing property owners provide funding. Mr. Williams said that question could be answered once design has progressed. He explained eliminating the flow of stormwater and associated contaminants from Salish Crossing into the Harbor Square system and into the marsh would be a huge environmental benefit and it would be plausible to use public funds.

Councilmember Johnson inquired about the biological and drainage function of the Unocal property on the south side of the marsh. Mr. Shuster answered that property was an oil terminal from 1923 to 2003 and does not function well biologically. The State and Unocal/Chevron are in the process of an environmental cleanup and plan to release a feasibility study later this year regarding the site.

In response to Council President Petso's earlier question, Mr. Shuster explained if/when Willow Creek is daylighted, the pipe located on Port property could be rehabbed and used for overflow in the event of a large storm or sea level rise. Mr. Williams suggested if the City were to invest funds in that pipeline, the City could own the pipe or the owner could contribute to the rehab of the pipe. He noted the pipe was in poor structural condition and would need work in the next few years.

Councilmember Peterson asked if there were opportunities with redevelopment of Harbor Square and Salish Crossing to utilize low impact development (LID) techniques such as rain gardens. Mr. Shuster answered yes and no; the Salish Crossing project that demolished some of the buildings and constructed Sound Transit parking does include a rain garden for parking lot runoff. He noted because the area is so low and ground water is just below the surface, it is not the ideal location for rain gardens for stormwater control but they can assist with improving the water quality.

For Councilmember Peterson, Mr. Shuster explained at the start of this project, a stakeholder meeting was held with representatives from Salish Crossing, Sound Transit, the Port, and WSDOT. Once a recommended alternative is finalized, another meeting will be held to continue that discussion. Mr. Williams advised all commercial customers pay stormwater rates based on the amount of impervious surface that contributes to the system.

Mr. Shuster reviewed the estimated planning level costs:

Item	Estimated Cost
Isolate the two main drainage systems (incl. sediment pond)	\$458,000
Improve Conveyance	
<u>Dayton St System</u>	
Pump Station	\$1,173,000
Connect Salish Crossing flow and Harbor Square Overflow	\$185,000
WQ Treatment for Ferry Holding Lanes	\$442,000
<u>Edmonds Marsh System</u>	
Willow Creek Daylighting (incl. channel restoration)	\$5,545,000
Harbor Square flap gates and berm	\$200,000
Rehab existing pipe/outlet improvements	\$400,000
Self-regulating tide gate (TBD)	\$567,000
Estimated Total	\$8,970,000

Mr. Shuster reviewed next steps:

- Public Open House in late spring/early summer 2013 to present the recommended alternatives and get input.
- Work with stakeholders to develop a plan to implement preferred alternatives.
- Move projects into the CIP for design and implementation.

9. EMERGENCY SERVICES COORDINATING AGENCY (ESCA)

Police Chief Al Compaan explained one of his responsibilities is serving as the City Disaster Coordinator. This presentation is in response to a Council request to provide information regarding disaster preparedness. The City is a member of ESCA who assists the City with disaster preparedness.

Lyn Gross, ESCA, offered to provide Councilmembers a tour of ESCA's facility. She next provided ESCA's vision: The Emergency Services Coordinating Agency, its member cities and citizens in the community, prepares for disasters. ESCA's mission is to coordinate and assist the ESCA member cities to be better prepared for disasters through mitigation, preparedness, response and recovery activities. She highlighted laws that govern emergency management including RCW 38.52, commenting many are new since 9/11 and Post Katrina Emergency Management Reform Act. She explained RCW 38.52 requires every city, county and town in the State to have an emergency management program. Jurisdictions can establish their own program or join together with other agencies to conduct emergency management activities as a group. ESCA member cities include Brier, Edmonds, Kenmore, Lake Forest Park, Lynnwood, Mill Creek, Mountlake Terrace, Mukilteo, Woodinville and Woodway.

She provided information regarding ESCA staff:

- Combined staff experience – 67 years
- Certified Emergency Managers
- 20+ disaster declarations
- Leaders at the State and National level
- National recognition as IAEM subject matter experts
- Certified Master Trainers – FEMA Emergency Management Institute

Ms. Gross reviewed mandates and essential activities, commenting ESCA's responsibilities and mandates post Katrina Emergency Management Reform Act and 9/11 have increased 350%:

- Planning requirements
 - Comprehensive Emergency Management Plan (CEMP)

- Access and functional needs (ADA)
- Mitigation Plan
- Animal Response Plan
- Hazardous Materials and Terrorism
- Debris Management Plan
- Recovery Plan (soon to be a requirement)
- Regional Planning and Coordination
- Maritime Terrorism Response Plan
- Grant “Work Plan” deliverables
- Training and Exercises
 - Annual training and exercise requirements
 - NIMS compliance
- Response/Continuity of Operations
 - EOC operations, facilities and systems
 - Emergency/Back-up communications EAS/CEMNET
 - Staff and resources
 - Mutual aid agreements

Ms. Gross reviewed planning activities ESCA provides:

- Research standards and best practices
- City and department coordination
- Develop partnerships and incorporate partners
- Stakeholder input
- De-conflict plans
- Review/approve process (state or federal)
- Production and distribution
- Plan maintenance (1-4 year cycles)

She reviewed training and exercise activities ESCA provides:

- Planning and training needs assessment
- Develop and deliver training
- Design and conduct exercises
- Homeland Security Exercise and Evaluation Program (HSEEP) compliance
- NIMS compliance
- Consider individual city needs

Ms. Gross reviewed response/EOC Operations activities ESCA provides:

- Centralized coordination in support of cities
- Liaison to state and federal response teams
- Essential EOC tasks
 - Communication clearinghouse
 - Regional prioritization of need
 - Coordination with essential partners
 - Restoration of essential services
 - Resource support and management
- Support City disaster activities
 - Incident Command System
 - Damage assessment
 - FEMA Public Assistance (PA) and Individual Assistance (IA)
 - Mass care/shelter/CPOD
 - Short-term and long-term recovery efforts

- Request and support specialized team responses

Ms. Gross described broad support to cities ESCA provides:

- Coordinate activities with State EMD
 - Statewide planning and response
 - Grant management
 - Emergency Worker Program
 - Mission numbers
 - Emergency communications system
 - Liaison between cities and state
- Emergency/disaster support through ESCA EOC
 - Resource management and support
 - Coordinate FEMA public and individual assistance
 - Coordinate mass care/shelter
 - Establish Community Points of Distribution (CPOD)
 - Support specialized team responses
 - Support short and long term recovery efforts
- Planning using best practices and standards
- Develop and deliver training and exercises
- Support special projects and events
- Emergency management information clearinghouse
- Regional coordination and leadership presence
- Coordination with special purpose districts and community partners
- Fire and law enforcement mobilization support

She emphasized coordination is crucial: a whole community approach to emergency management and disaster preparedness. She highlighted primary partners and secondary partners, advising there are approximately 200 partner organizations. In addition to partners, ESCA utilizes volunteers; in 2012 ESCA volunteers contributed 5,523 hours or 2.7 FTE. She described value-added services ESCA provides:

- MyStateUSA emergency notification
- Specialized planning (SOP development assistance, recovery, special teams)
- City-specific training
- Disaster Resource Database
- Public education and outreach (articles, brochures, community events, etc.)
- Community Emergency Response Team (CERT)

Ms. Gross identified City responsibilities:

- Pre-disaster:
 - Attend training
 - Participate in exercises
 - NIMS compliance
 - Cultivate local response capabilities
 - City policy and direction
 - Department participation in planning
- During disaster:
 - Public warning
 - Proclamation of emergencies
 - Continuity of government
 - Continuity of operations
 - City EOC management

- Damage assessment
- Coordinate resource needs with ESCA

Ms. Gross identified concerns:

- Decreasing grant funds
- Sensitive to strained city budgets
- 30% increase in cities since 2005
- 350% increase in mandated planning elements
- 20% staffing decrease

Council President Petso advised she obtained some level of NIMS compliance and asked whether NIMS compliance was required or recommended for elected officials. Ms. Gross answered the level of training Council President Petso was asked to complete was familiarity versus operational training. During a disaster response, there are issues in which the Council is engaged, particularly during recovery. The mayor, city manager and anyone working in the EOC needs higher level training.

In the event of a large earthquake in which Edmonds homes were uninhabitable, Councilmember Bloom asked where residents would go and what ESCA's role would be in getting them to the location. Ms. Gross answered there are a variety of levels; first is a shelter of last resort which is simply to get people out of the weather. In the event of a disaster, it is likely a series of interim shelters would be opened to house people out of the weather until Red Cross established shelters. The City's disaster plan addresses short and long term housing issues. Councilmember Bloom recalled discussions regarding grant funds to upgrade the Edmonds Center for the Arts gym for use as an emergency shelter. Ms. Gross explained the Red Cross has agreements with a variety of churches and schools regarding use for shelters. After an earthquake, all those shelters must be evaluated before they are opened as shelters. People may need to use an interim shelter until structures are evaluated.

Mayor Earling declared a brief recess.

10. DISCUSSION: CITY CODE REVIEW/REWRITE

Acting Development Services Director Rob Chave explained the City has begun to receive model language from Carol Morris who is assisting with the rewrite. Staff will integrate Edmonds specific material into the model code language, ensure internal consistency, remedy existing problems in the code, etc. As stated in February, staff is committed to enabling the Council to discuss policy issues as they arise. He asked at what point in the process the Council would like to have policy discussion regarding issues such as subdivision and enforcement. He suggested having that discussion after internal review has occurred and Edmonds specific information has been inserted.

Council President Petso requested policy changes be highlighted. Mr. Chave assured they would be. Council President Petso commented scheduling Council review will become more difficult closer to budget review. Mr. Chave advised the code review/rewrite is taking longer due to decreased staffing and increased permitting.

11. DIRECTION TO PLANNING BOARD AND ECONOMIC DEVELOPMENT COMMISSION REGARDING COUNCIL PRIORITIES ON WESTGATE AND FIVE CORNERS.

Councilmember Johnson advised this issue has arisen several times throughout the course of the Westgate Plan and was discussed most recently at the Council retreat and the Parks, Planning and Public Works Committee meeting. She was interested in coordinating the long range plans in the Westgate area. She relayed it has been suggested the Council proceed with form based code in the Westgate area and address transportation on a case-by-case basis as development occurs. She found that a short-sighted approach as

there was an opportunity to coordinate the land use and transportation planning efforts, an approach that is consistent with regional, multi-county and city policies such as Destination 2030, Vision 2040 and Complete Streets.

She referred to Policy 3.15.A in the City's adopted Transportation element of the Comprehensive Plan that encourages the preparation of comprehensive access plans and consolidation of access points in commercial and residential areas through shared driveways and local access streets. She concluded there is sufficient direction from a policy standpoint to coordinate land use and transportation. The question is how to proceed to that end with the \$50,000 allocated to initiate a study in the Westgate area. Her intent is to coordinate the Westgate plan and transportation planning.

Councilmember Peterson observed the Planning Board has been working on the Westgate Plan for some time and is relatively close to completion. He agreed with the idea of working on them together but did not want to lose momentum on the Westgate Plan. He was also concerned with shifting staff time due to the issues Mr. Chave noted with limited staff.

Councilmember Fraley-Monillas asked if Councilmember Johnson's intent was to begin with Five Corners then finish the Westgate Plan once the transportation study for SR104 has been completed. Councilmember Johnson answered that was an initial suggestion because the transportation analysis and the roundabout design for Five Corners has been completed. Her suggestion was the Westgate Plan would be incomplete without the transportation study of SR104. Her research of the Planning Board's activities indicates the only recent significant discussion regarding the Westgate Plan was on February 13, 2013. There have been general discussions regarding form based code, often using Westgate, but only the one detailed discussion about Westgate. She noted there appeared to be a shift in thinking about how form based code integrates with transportation which heightened her concern.

Councilmember Fraley-Monillas asked Councilmember Johnson to clarify what she was asking. Councilmember Johnson asked to move forward with the transportation analysis for Westgate and not conclude the Planning Board's recommendations until that work is complete. Councilmember Fraley-Monillas asked if it was Councilmember Johnson's intent that no planning be done for Westgate or Five Corners while that occurred or that the Westgate Plan and transportation planning occur concurrently. Councilmember Johnson answered her concern was SR104 and did not think one should be done without the other.

Public Works Director Phil Williams relayed Councilmember Johnson, staff and he have talked about the scope of the SR104 study. Although the Council provided some funding, it is not enough to do a robust study of the entire corridor. He and key staff are planning to meet with WSDOT to determine their interest in pursuing a study. He did not see any problem with the two occurring concurrently, noting it was similar to the daylighting study and flooding study that were presented to the Council earlier tonight; they are occurring at the same time and although they do not have identical goals, there are several commonalities. If the two were conducted independently, he was unsure when funding for a complete project would be available.

Mayor Earling relayed Mr. Chave's indication that the Westgate study is 75-85% complete. Mayor Earling expressed concern with timing, particularly a 1-2 year delay while funding is sought for a transportation study. Mr. Chave advised the Planning Board has put a substantial amount of time into the Westgate study including one hearing. The Planning Board has not put as much effort into Westgate in recent months, awaiting feedback from the Council. The impetus for presenting this issue to the Council was the Planning Board heard individual Councilmembers were interested in doing Five Corners first and the Planning Board did not want to proceed to conclusion on Westgate if that was not the direction the Council wanted to proceed. The Planning Board has not worked on the Five Corners Plan because they wanted to "get their feet wet" on the Westgate Plan first.

Council President Petso recalled the Planning Board Chair indicated the Planning Board needed to wrap something else up and that would be a better time for the Planning Board to take a break from the Westgate Plan and come to the Council after they had incorporated the Transportation element. She was supportive of giving the Planning Board direction that the Council did not want them to finalize the Westgate Plan until they have the Transportation Plan.

Councilmember Bloom noted there needs to be an understanding of the transportation system in Westgate with regard to items such as turn lanes, bike trails, make it more pedestrian friendly and safe, etc. The Westgate plan needs to address internal circulation, reaching the area safely via all modes of transportation as well as pedestrian and bicycles crossing the street. She agreed with the Planning Board delaying the Westgate Plan until the transportation element is integrated. She anticipated the Westgate form based code would address setbacks, road and sidewalk widths, bike paths, turn lanes, ferry traffic, etc. Mr. Chave responded form based codes do not deal with details of the right-of-way design. He agreed it would be helpful to discuss a study with WSDOT.

Mayor Earling advised the WSDOT representative indicated she will be available for the Council's June 17 retreat. He suggested exploring the potential with the WSDOT representative before the Council made a definitive decision. Mr. Chave agreed.

Councilmember Johnson agreed. She suggested conducting a tour of the area after the retreat.

Councilmember Peterson asked whether the City had much input into what can be done on SR104. For example, he did not anticipate a bike lane on SR104. Mr. Williams responded the City has some influence as SR104 serves as a City street and a State highway; WSDOT will make the final decision. He envisioned the Westgate Plan and transportation study could occur simultaneously.

12. POTENTIAL ACTION AS A RESULT OF MEETING IN EXECUTIVE SESSION

COUNCILMEMBER PETERSON MOVED, SECONDED BY COUNCILMEMBER YAMAMOTO, TO ALLOW UP TO \$5,000 TO CONTRACT WITH A LAND USE ATTORNEY TO REPRESENT THE CITY COUNCIL AND PROVIDE PROFESSIONAL LEGAL ADVICE DURING THE UPCOMING CLOSED RECORD REVIEW OF THE HEARING EXAMINER'S FINAL DECISION ON THE HILLMAN VARIANCES.

Council President Petso asked whether the motion was to hire an attorney but not specify the attorney. Councilmember Peterson recalled in a recent quasi-judicial hearing, the City Attorney worked directly with staff and the Council hired an outside land use attorney to advise them without any appearance of conflict. The Council will be reviewing the Hearing Examiner's decision in a quasi-judicial setting. It is best practice to hire an impartial attorney to ensure the public process is as smooth as possible.

COUNCILMEMBER PETERSON MADE THE FOLLOWING AMENDMENT WHICH WAS ACCEPTED BY COUNCILMEMBER YAMAMOTO:

TO HIRE CAROL MORRIS.

Councilmember Peterson explained the City Council hired Carol Morris to advise the Council during a previous quasi-judicial matter. She is working on the code rewrite so is very familiar with land use issues in Edmonds. According to the City Attorney, Ms. Morris is one of the top land use attorneys in the region.

Councilmember Fraley-Monillas asked whether it would be preferable to have the flexibility to hire a land use attorney rather than specify an attorney. City Attorney Jeff Taraday answered he will inform the Council at their next meeting if Ms. Morris has a conflict. The Council has appointment authority when hiring legal counsel unless the Council delegates that authority.

Councilmember Peterson requested Mr. Taraday provide names of alternate attorneys if Ms. Morris is not available. Mr. Taraday advised he would.

UPON ROLL CALL, MOTION CARRIED (4-2), COUNCILMEMBERS PETERSON, FRALEY-MONILLAS, YAMAMOTO AND JOHNSON VOTING YES, AND COUNCIL PRESIDENT PETSO AND COUNCILMEMBER BLOOM VOTING NO.

13. REPORT ON OUTSIDE BOARD AND COMMITTEE MEETINGS

Councilmember Peterson reported on the Public Facilities District (PFD) Board meeting. He is meeting with Executive Director Joe McIalwain to review their Strategic Plan before it is forwarded to the City Council. The PFD Board will be interviewing for two board positions that will be vacated in June. A reception for the outgoing Board Members Terry Vehrs and John McGibbon will be held in June.

Councilmember Johnson reported she attended the State Historic Preservation conference and plans to share the information with the members of the Edmonds Historic Preservation Commission.

Councilmember Bloom reported the Tree Board had a presentation from a member of the Floretum Garden Club regarding a tree exchange between Hekinani, Japan and Edmonds. The Tree Board discussed the Arbor Day celebration, the Museum Garden Market booth, the Watershed Fun Fair, and difficulties with new board/commission City email addresses.

Councilmember Bloom reported the Economic Development Commission (EDC) meeting included discussion regarding:

- Negotiations with additional fiber optic customers
- A second meeting that was held with several businesses interested in providing space for incubator businesses who would utilize the fiber
- Marine tourism
- Attracting bed and breakfasts to Edmonds
- Update on coal trains
- Business incentives
- How the EDC can support implementation of the Strategic Plan
- Difficulties with board/commission City email addresses

14. MAYOR'S COMMENTS

Mayor Earling thanked everyone who attended the Memorial Day service. It was a great community gathering to acknowledge veterans in the community. He estimated 400-500 people attended the service including at least two Councilmembers.

Mayor Earling advised the Waterfront Festival will be held this Friday, Saturday and Sunday. There will be many food vendors and exhibits.

15. COUNCIL COMMENTS

Councilmember Johnson announced the Business Expo to be held this Saturday at the Conference Center. The Edmonds Historic Commission will have a booth at the Expo.

Council President Petso advised the other candidate for appointment to the Tree Board arrived late due to a miscommunication regarding the time.

Council President Petso invited Councilmembers to submit items for the Council's June 17 mini-retreat.

Councilmember Peterson reported he visited the Marathon Memorial in Boston on Memorial Day. He found it incredibly moving and touching.

Councilmember Fraley-Monillas thanked the Floretum Garden Club for their efforts throughout the City including working on the flowerbeds. She thanked staff for their work on the flowers as well, noting it was beginning to look like Edmonds in bloom.

Councilmember Fraley-Monillas reported she attended the Memorial Day service. She thanked the Chair of the ceremony, Dale Hoggins, for his efforts over the years to make that a special ceremony.

16. ADJOURN

With no further business, the Council meeting was adjourned at 9:41 p.m.